

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

AIAI QI,

Plaintiff,

v.

ALEJANDRO MAYORKAS, *et al.*,

Defendants.

Case No. 2:23-cv-00377-DAD-JDP (PS)

ORDER

On April 5, 2023, defendants filed a motion to dismiss plaintiff's complaint. ECF No. 5. On April 26, 2023, after plaintiff failed to respond to that motion, the court ordered plaintiff to show cause why sanctions should not issue for failure to file an opposition or statement of non-opposition to defendants' motion. ECF No. 7. In response to that order, plaintiff has filed a motion that asks the court to "excuse the delay and accept the late filed Opposition." ECF No. 8 at 2.

Given that plaintiff has yet to file an opposition to defendants' motion to dismiss, her motion is construed as one seeking an extension of time to file an opposition to defendants' motion. So construed, plaintiff's motion will be granted.

Accordingly, it is hereby ORDERED that:

1. Plaintiff's motion for an extension of time to file an opposition to defendants' motion to dismiss, ECF No. 8, is granted.

1           2. The June 15, 2023 hearing on defendants' motion to dismiss is continued to July 13,  
2 2023.

3           3. Plaintiff shall file an opposition or statement of non-opposition to defendants' motion  
4 by no later than June 30, 2023.

5           4. Defendants may file a reply to plaintiff's opposition, if any, no later than July 7, 2023.

6           5. Failure to comply with this order may result in a recommendation that this action be  
7 dismissed for lack of prosecution, failure to comply with court orders, and failure to comply with  
8 local rules.

9  
10 IT IS SO ORDERED.

11 Dated: June 9, 2023

  
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JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE